

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LARRY DONACHY and BRUCE)	
KINLEY, on behalf of themselves and)	
others similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:04-CV-245
)	
MOTION CONTROL INDUSTRIES,)	
DIVISION OF CARLISLE CORPORATION,)	Judge Sean J. McLaughlin
RETIREMENT PLAN FOR BARGAINING)	
UNIT EMPLOYEES OF MOTION CONTROL)	
INDUSTRIES, DIVISION OF CARLISLE)	
CORPORATION,)	
)	
Defendants.)	

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Plaintiffs, Larry Donachy and Bruce Kinley, on behalf of themselves and others similarly situated, hereby move this Honorable Court for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure. Support for this Motion is fully set forth in the accompanying Brief in Support of Motion for Summary Judgment, and their Concise Statement of Material Facts.

Respectfully submitted,

JUBELIRER, PASS & INTRIERI, P.C.

BY: /s/ Jason Mettley
Robert A. Eberle, Pa. I.D. #47359
Jason Mettley, Pa. I.D. #81966
219 Fort Pitt Boulevard
Pittsburgh, PA 15222
(412) 281-3850
(412) 281-1985 (fax)
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of November 2005, a true and correct copy of Plaintiffs' Motion for Summary Judgment, was served on counsel for the Defendants identified as follows and in the manner indicated:

Via electronic service through CM/ECF:

Richard A. Lanzillo, Esquire
Knox, McLaughlin, Gornall & Sennett
120 W. Tenth Street
Erie, PA 16501-1461
rlanzillo@kmgslaw.com

s/Jason Mettley